IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.20708 of 2006

Dated: February 22, 2007

Between:

Y. Shravya, minor, rep. by her natural guardian, father y. Krishna Murthy, aged about 30 years, Medical Practitioner, Deepak clinic, Bhagyanagar Colony, Kadapa, Kadapa District.

… Petitioner

And

The Registrar, Dr. N.T.R. University of Health Sciences, Vijayawada, and others.

… Respondents

Order:

This Writ Petition has been filed seeking Mandamus to declare the action of the respondents in denying admission to the petitioner in M.B.B.S. course under the quota reserved for physically handicapped, as illegal and arbitrary and a consequential direction to the respondents to admit her under the said quota.

2. Heard learned counsel for the petitioner and learned Standing Counsel appearing on behalf of the respondents.

3. Petitioner, a physically handicapped person, appeared for EAMCET-2006 and secured rank '1629'. She claims that the District Medical Board, Cuddapah, assessed her disability at 65%. Basing on the certificate issued by the said Board, petitioner claimed a seat in the quota reserved for physically handicapped. It is stated that when she attended counselling on 23-07-2006, her claim for admission into the said course case was rejected without assigning any valid reason. It is her grievance that, though the District Medical Board for Handicapped, Cuddapah, has certified her disability as 65%, respondents have denied her a seat under the Physically Handicapped quota.

4. First respondent has filed counter affidavit stating that, for the purpose of assessing the percentage of disability of candidates seeking admission into MBBS and BDS Courses, a separate Medical Board, headed by Professor of Medicine, Gandhi Medical College, has been constituted by Dr. NTR University of Health Sciences, A.P., Vijaywada. It is stated that petitioner has appeared before the said Board, which has examined the petitioner and certified her disability as 25%

5. It is to be seen that when a Medical Board has specially been constituted for the purpose of assessing disability of the candidates seeking admission into M.B.B.S. and B.D.S. courses, the said Board is only the competent authority to certify the disability of a particular individual, but not anybody else. When such Board has certified the disability of the petitioner as 25%, basing on the certificate issued by the District Medical Board, petitioner cannot claim a seat in the

Physically Handicapped quota.

6. The Writ Petition is devoid of merits and is accordingly dismissed. There shall be no order as to costs.

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JUSTICE R. SUBHASH REDDY.

February 22, 2007
MRR